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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,405	03/15/2001	Frank Rademacher	964-010251	3576

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EXAMINER

SENF1, BEHROOZ M

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/809,405	Applicant(s) RADEMACHER ET AL.	
	Examiner Behrooz Senfi	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Based on a pre-Brief Appeal conference decision on (03/12/2007) and applicant's arguments (filed 01/19/2007), the previous final rejection(s) of claim(s) 1 – 8 and 10 - 15 under 35 U.S.C. 103(a) as being unpatentable over Lanza et al. (US 5,938,710) in view of Rosinski et al. (US 5,793,308), mailed (09/13/2006) has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Thomas Enkelmann (EP 254192) and Rosinski et al. (US 5,793,308).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 recites the limitation "the truck" in lines 5, and "the vehicle" in lines 7 and "the industrial truck" in lines 12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 - 8, 10 - 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas Enkelmann (EP 254192) in view of Rosinski et al (US 5,793,308).

Regarding claim 1, Thomas teaches, an industrial truck (i.e. fig. 1, 16),

Art Unit: 2621

Comprising; a driver's seat located in a driver's cab, the driver's seat oriented in the forward direction (i.e. fig. 1, shows the driver seat and the drivers position), at least one screen located in the vicinity of the driver's seat (i.e. fig. 2, screen 1), a counterweight located on a rear of the truck (i.e. fig. 2, counterweight 19), a first camera pointing toward the rear (i.e. fig. 2, camera 2"), the first camera mounted on the rear of the vehicle to the rear of the driver's seat and above the counterweight at a first height (fig. 2, camera 2") wherein the first camera provides a view of a distant area behind the industrial truck (i.e. fig. 2, camera 2"), and wherein the image taken with the first camera and/or the image taken with the at least one additional camera can be displayed on the screen located in the vicinity of the drivers seat (i.e. fig. 2, display screen 1).

Thomas reference is silent in regards to explicit of, at least one additional camera is mounted on the rear of the vehicle to the rear of the driver's seat and on an upper segment, at a height greater than the first height, and the at least one additional camera provides a view of a near area behind the industrial truck.

Rosinski '308 in the same vehicular monitoring field of view (i.e. figs. 5B – 11B, col. 2, lines 58 – 63, col. 4, lines 13 – 15) teaches camera arrangements in different type of vehicle (e.g. figs. 5B, 7A, 8B and 15 C – 16C) shows additional camera mounted on the rear of the vehicle on an upper segment, at a height greater than the first height of the first camera, to allow a vehicle operator to view blind spots (e.g. near area behind the vehicle/truck) at the rear end of the vehicle.

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify and increase field of view of the

operator in device for driving vehicles of Thomas, in accordance with the teaching of Rosinski by incorporating multiple cameras, to allow a vehicle operator to view blind spots (e.g. near area behind the vehicle/truck) at the rear end of the vehicle, as suggested by Rosinski.

Regarding claim 2, Rosinski teaches, wherein there are two additional cameras to view the near area (i.e. col. 4, lines 14 – 15).

Regarding claim 3, it is noted that combination of Thomas and Rosinski is silent in regards to, camera equipped with a wide-angle lens, as claimed. Examiner takes Official Notice to note that, the use of wide-angle lens in the camera is notoriously well known and conventionally used for the benefit of covering larger area in video navigation and/or monitoring. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement such teaching as they are notoriously well known in the conventional art, to view or cover larger area under camera monitoring.

Regarding claim 4 - 6, Rosinski teaches, switching device by which the far area viewed by the first camera or the near area viewed by the at least one additional camera can be selectively displayed on the screen as desired (i.e. col. 7, lines 8 – 15).

Regarding claims 7 – 8, wherein the screen is effectively connected with an image mixer by which the images taken by the two additional cameras are superimposed on each other on the screen (i.e. figs. 2 – 3, CPU 21 and MCU 211, col. 3, lines 30 – 32, col. 6, lines 4 – 6 of Rosinski).

Regarding claim 10, the limitations claimed have been analyzed and rejected with respect to claim 1 above.

Regarding claim 11, the limitation "screen is located inside a driver's cab of the industrial truck in the vicinity of the driver" reads on (Thomas; fig. 2, screen 1).

Regarding claims 12 - 13, Rosinski teaches, wherein the industrial truck has a steering device with an electrical steering sensor (fig. 1, device 4, col. 1, lines 55 – 60, col. 2, lines 23 – 26 and col. 5, lines 57 – 67).

Regarding claim 14, Thomas teaches, screen display (i.e. fig. 2, screen display 1) for displaying images captured by the camera to the vehicle operator. It is noted that Thomas is silent in regards to screen is in the form of a "flat screen"; however the functionality of the screens are the same and both are used for displaying the images taken from the imaging device (i.e. camera). Furthermore; Examiner takes Official Notice to note that; the use of a flat screen is well known and conventionally used in the prior art of the record. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use a flat screen as an alternative screen, for providing images captured by the camera to the vehicle operator.

Regarding claim 15, Thomas teaches, forklift truck (i.e. fig. 1, truck 16).

Contact

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(571) 272-6000**,

Or faxed to:

(571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B.M.S.


TUNG VO
PRIMARY EXAMINER